REMARKS

Reconsideration of this application is requested. Claims 1-3 and 5-12 are pending. Claims 1, 3, and 8-10 are amended herein. No new matter has been added.

In the Official Action, the Examiner has:

1. requested Applicant provide descriptive labelings associated with all blocks in FIGs. 1-4 in addition to non-descriptive labelings;

2. finally rejected claims 1-3 and 5-11 under 35 U.S.C. 102(e) as being anticipated by Humpleman et al. (U.S. Patent 6,198,479).

With regard to Item 1, Applicant provides herewith an amended set of drawings of FIGs. 1-4 in compliance with Examiner's request. Reconsideration and removal of this objection is requested.

With regard to Item 2, amended claim 1 recites

> Control device in a home network including a plurality of appliances, wherein each appliance has an associated descriptor comprising information for controlling said appliance, said control device including:
> a microprocessor for loading and processing descriptors associated with the appliances, wherein said descriptors each comprise at least one control function of a respective appliance, and a corresponding control function type;
> a graphics generator for generating a display of markup language pages or page parts based on said descriptors, said control device adapted to use descriptors of a plurality of appliances to recognize and aggregate appliance control functions of the same type for a plurality of appliances, in order to display said aggregated functions on a single markup language page. (emphasis added).

In the present office action, the Examiner relies on two paragraphs of Humpleman to anticipate claim 1. More specifically, the Examiner contends that:

(a) col. 4, lines 19-28 of Humpleman teach 'to aggregate appliance control functions of the same type for a plurality of appliances'; and that

(b) Fig. 13, col. 20, lines 23-40 teach 'display[ing] aggregated functions on a single markup language page'.

In response to paragraph (a), Applicant submits that Col. 4 lines 19 to 28 of Humpleman recite:

> "In certain embodiments, each home device contains one or more Hypertext Markup Language (HTML) pages that provide for commanding and controlling of the home device. Using the browser technology, the home network employs Internet standards to render the HTML pages in order to provide users with a plurality of graphical user interfaces ("GUIs") for commanding and controlling each home device. In one embodiment, the home network is configured as an intranet."

The above passage fails to even _mention_ aggregating appliance control functions of the same type for a plurality of appliances. Instead, the above passage merely discloses that each home device comprises HTML pages that may be rendered by some device. How this rendering is to be performed is not disclosed by Humpleman. More particularly, whether any specific relationship between control functions of the same type but of different appliances leads to the creation of a specific display page as claimed in present claim 1 is clearly not disclosed nor suggested by Humpleman. The claim language recited in present claim 1, namely "a microprocessor for loading and processing descriptors associated with the appliances, wherein said descriptors each comprise at least one control function of a respective appliance, and a corresponding control function type" and wherein the control device is "adapted to use descriptors of a plurality of appliances to recognize and

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aggregate appliance control functions of the same type for a plurality of appliances, in order to display said aggregated functions on a single markup language page" is clearly not disclosed nor suggested by the Humpleman reference. For at least these reasons, reconsideration and removal of this rejection is respectfully requested.

On page 3 of the present office action, the Examiner relies on the same paragraph in Humpleman in asserting that "DTV and TV are same type of devices or appliances associated with home entertainment." Applicant submits that, while both devices may be home entertainment devices, the notion of device control function type as claimed in present claim 1 cannot be found in the Humpleman reference. A device is not the same as a control function of that device and "Home entertainment" is not a control function, even assuming the broadest reasonable interpretation of the term "control function". For at least these additional reasons, reconsideration and removal of this rejection is respectfully requested.

The above notwithstanding, Applicant submits in response to paragraph (b) above that the paragraph of col. 20, lines 23-40 of Humpleman describes the creation of a connection between a sink device (a DVCR in this case) and a source device (a DTV).

Buttons identifying the different devices of the home network are shown in an upper window 1004 of the display of figure 13. A first window 1006 to the lower left comprises icons identifying control functions of the DVCR, while the window 1008 to the lower right comprises icons of control functions of the DTV.

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According to the Examiner, "selecting aggregate play command in DVCR page provides display on connected DTV". In response, Applicant submits that qualifying the 'play' command of window 1006 as being "aggregated" as recited in present claim 1, which calls for aggregating control functions of the same type, is an improper interpretation of Humpleman. This is evidenced by the fact that the 'play' command cannot be "aggregated" when there is only one such command on the screen. There is no such 'play' command available for the DTV window 1008.

Accordingly, present claim 1 recites features and limitations not disclosed or suggested by the cited reference of record. Reconsideration and removal of this rejection is requested.

Independent claims 8 and 10 have been amended in similar fashion to that of claim 1 and the arguments identified above with respect to present claim 1 are applicable to present claims 8 and 10. For at least these reasons, reconsideration and removal of this rejection with respect to independent claims 8 and 10 is requested.
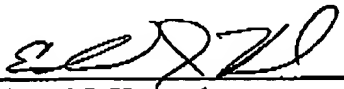
Dependent claim 3, which depends from independent claim 1, has also been amended to recite that the internet server is on a network different from the network of the appliance. This is supported by the embodiment described on page 13, lines 3 to 24 of the specification and figure 4 of the drawings. Humpleman fails to disclose or suggest such features and limitations, as the device from which the descriptor is loaded is not the appliance. Dependent claim 9, which depends from independent claim 8, has been similarly amended. For at least these additional reasons, dependent claims 3 and 9 patentably distinguish over Humpleman and should be allowed.

In view of the foregoing, Applicants respectfully submit that claims 1-3 and 5-13 are in condition for allowance. Favorable reconsideration is therefore respectfully requested.

If a telephone conference would be of assistance in advancing prosecution of the above-identified application, Applicants' undersigned Attorney invites the Examiner to telephone him at <u>609-919-4428</u>.

Respectfully Submitted

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